

REMARKS

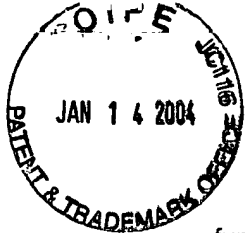
Claims 1 – 29 are pending in the present application. Claims 1 – 29 were rejected by the Examiner. Claim 2 has been cancelled in this response.

Claims 1 and 23 – 29 were rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,263,352, issued to Kaltenbach. Kaltenbach discloses powder paint dispersion for use with fiber reinforced plastics that are formed into sheet molding compound or bulk molding compound. The dispersion primarily consists of an epoxy powder paint and a water carrier containing a water soluble non-ionic surfactant and a dispersing agent. In one embodiment, a cross-linking agent is included in the formulation. In contrast to the present invention, Kaltenbach does not disclose a coating dispersion that may be utilized with an energy storage device, a dispersion that may be applied as a homogeneous dispersion to form a protective film on an energy storage device, or a dispersion containing any of the cross-linking agents that are contained in independent claim 1, as amended. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of these differences it is respectfully submitted that claims 1 and 3 – 29 are patentable under 35 U.S.C. 102(b) over Kaltenbach.

Claims 1 and 21 – 23 were rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,042,478, issued to Hazan. Hazan discloses an aqueous thermosetting coating composition that is applied via an electrocoating process. In contrast to the present invention, Hazan does not disclose a coating dispersion that may be utilized with an energy storage device, a dispersion that may be applied as a homogeneous dispersion to form a protective film on an energy storage device, or a dispersion containing any of the cross-linking agents that are contained in independent claim 1, as amended. As anticipation under 35 U.S.C. 102 requires identity of invention, in view of these differences it is respectfully submitted that claims 1 and 21 – 23 are patentable under 35 U.S.C. 102(b) over Hazan.

Claim 2 was rejected as unpatentable under 35 U.S.C. 103(a) over U.S. Patent No. 5,677,367, issued to Savin, in view of U.S. Patent No. 6,395,459, issued to Taylor. Claim 2 has been cancelled.

Claims 3 – 20 and 23 – 29 were rejected as unpatentable under 35 U.S.C. 103(a) over Savin in view of U.S. Patent No. 6,287,377, issued to Binns, and further in view of U.S. Patent No. 6,610,777, issued to Anderson. Savin discloses a dry precursor powder composition containing resin, zinc dust, zinc powder, zinc-coated microspheres and graphite. There is no disclosure, teaching or suggestion in Savin of a composition that is applied as an aqueous homogeneous dispersion containing the binders and the cross-linking agent of the present invention. Binns discloses a tinting concentrate for use with solvent- and water-based paints. Anderson discloses flexible coating compositions containing at least one polysiloxane comprising at least one reactive



RECEIVED
JAN 16 2004
TC 1700

functional group. There is no motivation for one skilled in the art whatsoever to combine Savin, Binns and Anderson, or that such a combination would result in the present invention. Even if one skilled in the art were to combine the references, that person would not be led to the present invention. Instead, the result would be a dry zinc-containing precursor powder that would contain a paint tinting concentrate and a polysiloxane. Accordingly, it is respectfully submitted that claims 3 – 20 and 23 – 29 are patentable under 35 U.S.C. 103(a) over Savin in view of Binns and further in view of Anderson.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, she is invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

Charles W. Almer
Reg. No. 36,731
Tel. No. 908 707-3738

National Starch and Chemical Company
10 Finderne Avenue
Bridgewater, NJ 08807
January 12, 2004